

109TH CONGRESS
1ST SESSION

H. R. 1649

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2005

Mr. HOLT (for himself, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. SAXTON, Mr. OWENS, Mr. ANDREWS, Mr. TOWNS, Mr. MENENDEZ, Mr. JEFFERSON, and Mr. PALLONE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REQUIREMENT OF STAFF WORKING WITH DE-**
2 **VELOPMENTALLY DISABLED PERSONS TO**
3 **CALL EMERGENCY SERVICES IN THE EVENT**
4 **OF A LIFE-THREATENING SITUATION.**

5 (a) **REQUIREMENT.**—Section 1902(a) of the Social
6 Security Act (42 U.S.C. 1396a(a)) is amended—

7 (1) in paragraph (66), by striking “and” at the
8 end;

9 (2) in paragraph (67), by striking the period at
10 the end and inserting “; and”; and

11 (3) by inserting after paragraph (67) the fol-
12 lowing new paragraph:

13 “(68) provide, in accordance with regulations of
14 the Secretary, that direct care staff providing
15 health-related services to a person with a develop-
16 mental disability or traumatic brain injury are re-
17 quired to call the 911 emergency telephone service
18 or equivalent emergency management service for as-
19 sistance in the event of a life-threatening emergency
20 to such person and to report such call to the appro-
21 priate State agency or department.”.

22 (b) **EFFECTIVE DATE.**—The amendments made by
23 subsection (a) take effect on January 1, 2006.

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